

MINUTES

ALCOHOL AND TOBACCO COMMISSION

NOVEMBER 3, 2009

CALL TO ORDER/NOTING OF QUORUM

Chairman Snow called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Guthrie and Commissioner Sturtz. Superintendent Huskey and Executive Secretary Dunsmore were also in attendance.

Marc Carmichael, Connie Vickery, Steve Badger, Mitch Stoltz, Jeff McKean, Cindy Tooman, Matt Price, Trevor Vance, Byron Leet, Richard Northern and Rebecca Howard were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the October 20, 2009 meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Vice Chairman Johnson moved to approve the parties agreed disposition forms that were submitted for the November 3, 2009 meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the

inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

Two hundred thirty-six (236) renewals approved, forty-four (44) new and/or transfer permits approved, two (2) permits approved for catering, two (2) permits approved for first year escrow, one (1) permit approved for second year escrow, two (2) permits approved for third year escrow, and one (1) permit approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Guthrie and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

DL82-06048 TOTAL LIQUORS OF EVANSVILLE, D/B/A LIQUOR LOCKER – Commissioner Guthrie noted this is a type 217 renewal application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the renewal. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL41-26090 MAC'S CONVENIENCE STORES, LLC – Commissioner Guthrie noted this application for a new permit was continued by the Johnson County Local Board three times for various, different reasons. There was a misunderstanding regarding time for the last continuance.

Commissioner Guthrie moved to remand the new application to the local board. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

RC19-01816 JASPER COUNTRY CLUB, INC. - Commissioner Guthrie moved to convert this type 211-1 permit to a type 210 permit, so the permittee can serve the public. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR48-02904 GETAWAY, INC. – Commissioner Guthrie noted this is a type 210 transfer of ownership and location. The renewal was also scheduled for the local board. However, the local board continued the renewal and approved the transfers.

Commissioner Guthrie moved to approve a letter of authority for the transfer, pending the action of the local board on the renewal at their next meeting. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

INACTIVE FILES

INACTIVE FILES – Vice Chairman Johnson moved to make nine (9) permits inactive. Eight (8) permits are not subject to auction and one (1) permit is subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

OLD BUSINESS

W 22-25148 AND W 22-25149 SOUTHERN WINE & SPIRITS OF INDIANA, INC. -
Chairman Snow stated this is the time set aside for this applicant to state their case regarding the denial of these two permits.

Attached is a copy of the transcript in the above referenced matter.

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

SPECIAL MEETING – Chairman Snow stated there will be a special meeting regarding the vote on Southern Wine & Spirits of Indiana, Inc. at 2:00 p.m. on Thursday, November 5, 2009.

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Approved this _____ day of _____, 2009.

P. TOM SNOW, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER